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10 **Attorneys for Plaintiff The Plaza Company**
11 **(Additional Counsel Listed on Signature Page)**

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 IN RE KOREAN RAMEN ANTITRUST
15 LITIGATION,

Case No. 3:13-cv-04115-WHO-DMR

16 **STIPULATION AND ~~[PROPOSED]~~**
17 **ORDER**

18 THIS DOCUMENT RELATES TO:

19 All Actions

20 WHEREAS, the Court has issued a Confidentiality Protective Order on March 24, 2015 (Dkt
21 No. 161) pursuant to the parties' Stipulation;

22 WHEREAS, Plaintiffs have served on Defendants and on non-parties, and Defendants may
23 serve on Plaintiffs (therefore including their co-counsel in Korea) and on non-parties, various
24 Requests for the Production of Documents and other discovery demands that concern documents
25 located in the Republic of Korea;

26 WHEREAS, Korea's Personal Information Protection Act ("PIPA") and related statutes
27 including pertinent sections of the Korean Criminal Code (collectively, the "Data Privacy Laws")
28 protect against the disclosure of certain personal information;

1 WHEREAS, Article 2, Section 1 of PIPA defines “personal information” as “information
2 pertaining to any living person that makes it possible to identify such individual by his/her name
3 and resident registration number, image, etc.”;

4 WHEREAS, Article 15, Section 2, PIPA, in combination with Article 20, Korean Criminal
5 Code and the decision of the Korean Supreme Court, *2007Do6243; issued December 25,*
6 *2009*), allows collection and use of such information “[w]here special provisions exist in laws or it
7 is unavoidable so as to observe legal obligations” and where a party incurs the risk of Court ordered
8 sanctions if it fails to comply with a Court Order specifying the production of documents or other
9 information located in Korea and covered by the Data Privacy Laws;

10 WHEREAS, the parties agree that certain information subject to the Data Privacy Laws may
11 be relevant to the subject matter of this litigation;

12 WHEREAS, the parties desire to resolve issues and concerns relative to compliance with the
13 Data Privacy Laws by this Stipulation and Order, but do not by this stipulation intend to address or
14 resolve any other objection any party or non-party may have to producing information sought in
15 this litigation, all such objections being expressly preserved;

16 NOW THEREFORE, it is hereby STIPULATED, by and between the undersigned counsel
17 for the parties, subject to Order of the Court, as follows:

18 To the extent that any party or non-party produces information to any party in this litigation
19 and such information is covered by the Data Privacy Laws, this Court Orders that such information
20 be produced subject to the Stipulated Confidentiality Protective Order (Dkt. No. 161) on file in this
21 litigation.

22
23 DATED: May 6, 2015

/s/ Lee Albert

24 Lee Albert
GLANCY PRONGAY & MURRAY LLP

25 Christopher L. Lebsock
26 HAUSFELD LLP

27 *Interim Lead Counsel for the Direct Purchaser*
28 *Plaintiffs*

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DATED: May 6, 2015

/s/ Robert A. IZard
Robert A. IZard
IZARD NOBEL LLP

*Interim Lead Counsel for the Indirect Purchaser
Plaintiffs*

DATED: May 6, 2015

/s/ Mark C. Dosker
Mark C. Dosker
SQUIRE PATTON BOGGS (US) LLP

*Attorneys for Defendants
Nongshim Co. Ltd. and Nongshim America, Inc.*

DATED: May 6, 2015

/s/ Joel S. Sanders
Joel S. Sanders
GIBSON, DUNN & CRUTCHER LLP

*Attorneys for Defendants
Ottogi Co. Ltd. and Ottogi America, Inc.*

DATED: May 6, 2015

/s/ Elizabeth Mann
Elizabeth Mann
MAYER BROWN LLP

*Attorneys for Defendant
Samyang Foods Co., Ltd.*

~~PROPOSED~~ ORDER

When any party or non-party produces information in this litigation that is covered by the Data Privacy Laws (including but not limited to the production of documents or electronically stored information as those terms are used in Federal Rules of Civil Procedure 34(a)(1)(A) and/or 45, responses to Interrogatories and responses to questions posed at a Deposition), this Court Orders, notwithstanding any provision of the Data Privacy Laws to the contrary, that such information be produced to the requesting party for use in this litigation, provided however that any such production shall be subject to the terms of the Stipulated Confidentiality Protective Order (Dkt. No. 161) on file in this litigation.

DATED: May 7, 2015



United States District/Magistrate Judge